

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

Claim 1 (currently amended): An aqueous binder comprising condensation products **AB** of carboxyl-containing resins **A** and hydroxyl group-containing resins **B**, hydroxyurethanes **C**, and curing agents **D** which are active even at temperatures starting at 120 °C wherein the hydroxyurethanes **C** are present in the aqueous binder in a mass fraction of from 10 % to 40 %, in the sum of the masses of the condensation product **AB** and the hydroxyurethanes **C**, and wherein the hydroxyurethanes **C** are made by reacting polyfunctional isocyanates **Cb** of the formula  $R(NCO)_n$  wherein the radical R is an n-functional cycloaliphatic, aliphatic-polycyclic, aromatic-aliphatic branched, or aromatic radical and n is at least 2, with hydroxy compounds **Ca** selected from the group of dihydroxy compounds consisting of 1,4-butanediol, 1,6-hexane diol, and the higher homologues thereof, diethylene glycol, triethylene glycol, and higher oligomers thereof, dipropylene glycol, tripropylene glycol, and the higher oligomers of these, and polycaprolactone diols, and from the group of polyhydroxy compounds consisting of trimethylolpropane, trimethylolethane, ditrimethylolpropane, erythritol, pentaerythritol, sorbitol, and polycaprolactone triols ~~include units derived from polyfunctional hydroxy compounds **Ca** having at least 4 carbon atoms, it being possible for some of the carbon atoms to be replaced by oxygen atoms or by ester groups, and at least two hydroxyl groups, and units derived from polyfunctional isocyanates **Cb** selected from isocyanates of the formula  $R(NCO)_n$ , where R is an n-functional cycloaliphatic, aliphatic-polycyclic, aromatic-aliphatic branched or aromatic radical and n is at least 2.~~

Claim 2 (original): The aqueous binder as claimed in claim 1, wherein the hydroxyurethanes **C** contain terminal hydroxyl groups.

Claim 3 (currently amended): The aqueous binder as claimed in claim 1, wherein the hydroxyurethanes **C** ~~include units derived~~ are made from diols **Ca** and diisocyanates **Cb**.

Claim 4 (original): The aqueous binder as claimed in claim 1, wherein the curing agents **D** comprise water-dilutable amino resins **D1** and blocked or nonblocked isocyanates **D2**.

Claim 5 (original): The aqueous binder as claimed in claim 1, wherein the hydroxyurethanes **C** have a Staudinger index of from 4 to 19 cm<sup>3</sup>/g, measured in dimethylformamide solvent at 23°C.

Claim 6 (currently amended): The aqueous binder as claimed in claim 1, wherein the condensation products **AB** have an acid number of from 25 to 75 mg/g, and a Staudinger index of from 10 to 20 cm<sup>3</sup>/g, measured in dimethylformamide solvent at 23 °C, and are ~~obtainable~~ obtained by condensing hydroxyl-containing resins **B** having an hydroxyl number of from 50 to 500 mg/g and carboxyl-containing resins **A** having an acid number of from 100 to 230 mg/g.

Claim 7 (currently amended): The aqueous binder as claimed in claim 1, wherein the mass fraction of the hydroxyurethanes **C** in the sum of the masses of condensation products **AB** and admixture resin **C** is between 15 and ~~40~~ 35 %.

Claim 8 (original): The aqueous binder as claimed in claim 1, wherein the mass fraction of the curing agents **D** in the sum of the masses of condensation products **AB**, the hydroxyurethanes **C**, and the curing agents **D** is from 2 to 20 %.

Claim 9 (currently amended): A method of use of an aqueous binder as claimed in claim 1 to prepare an automotive surfacer material, wherein the condensation products **AB** first are mixed with the hydroxyurethanes **C** and neutralized, the mixture is then dispersed in water, a portion of this dispersion being intimately mixed with pigments and fillers ~~and also, where appropriate, further additives,~~ and then the remainder of the dispersion and the curing agent **D** ~~and also, where appropriate, further water~~ is added.

Claim 10 (original): An automotive surfacer material comprising the aqueous binder as claimed in claim 1.